

JEFFREY A. HOLLINGSWORTH (*admitted pro hac vice*)
jhollingsworth@perkinscoie.com
PERKINS COIE LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101
Telephone: (206) 583-8888
Facsimile: (206) 583-8500

JONMI N. KOO, State Bar No. 233136
jkoo@perkinscoie.com
JAMES A. NICKOVICH, State Bar No. 244969
jnickovich@perkinscoie.com
PERKINS COIE LLP
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111
Telephone: (415) 344-7000
Facsimile: (415) 344-7050

Attorneys for Defendant
STARBUCKS CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DOUGLAS O'CONNOR, individually,
and on behalf of all others similarly situated,

Plaintiffs,

vs.

STARBUCKS CORP.; and DOES 1 to 25,
inclusive,

Defendants.

Case No. C06-03706VRW

CLASS ACTION

STIPULATION AND ~~[PROPOSED]~~
ORDER WAIVING ALL APPEALS;
WAIVING RECOVERY OF
ATTORNEYS' FEES AND ALL OTHER
COSTS; AND CESSATION OF ANY
FURTHER LITIGATION

Place: Courtroom 6, 17th Floor
Judge: The Hon. Vaughn R. Walker

This Stipulation is entered into by and between Plaintiff Douglas O'Connor ("Plaintiff"
or "Mr. O'Connor") and Defendant Starbucks Corporation ("Defendant") through their
respective attorneys of record.

STIPULATION AND ~~[PROPOSED]~~ ORDER WAIVING ALL APPEALS; WAIVING RECOVERY OF
ATTORNEY'S FEES AND ALL OTHER COSTS; AND CESSATION OF ANY FURTHER LITIGATION
Case No. C06-03706VRW

1 **WHEREAS**, on July 14, 2008 this Court issued an Order Granting Defendant's Motion
2 for Summary Judgment;

3 **WHEREAS**, Plaintiff maintains that he may appeal the Summary Judgment Order
4 pursuant to 28 U.S.C.A. § 1291;

5 **WHEREAS**, Defendant maintains that it may seek to recover certain attorney's fees and
6 costs from Mr. O'Connor as the prevailing party in the afore-mentioned Summary Judgment
7 proceedings;

8 **WHEREAS**, the parties have agreed to waive the foregoing rights, dismiss all claims and
9 cease any further litigation; and

10 **WHEREAS**, the parties believe it is in their mutual best interest to resolve this matter in
11 its entirety at this time;

12 **IT IS HEREBY STIPULATED BETWEEN THE PARTIES HERETO:**

13 1. Plaintiff will not appeal the Court's Order Granting Defendant's Motion for
14 Summary Judgment;

15 2. Defendant will not seek to recover its attorneys' fees or any other costs related to
16 this litigation from Plaintiff or his counsel, Scott Cole & Associates, APC, and hereby withdraws
17 its July 29, 2008 Bill of Costs (Dkt. #84); and

18 3. It is in the parties' mutual best interest to cease any and all further litigation from
19 this day forward.

DATED: August 8, 2008

Douglas O'Connor

Attorneys for the Representative Plaintiff
and the Plaintiff Class

DATED: August 11, 2008

SCOTT COLE & ASSOCIATES, APC

By: Matthew R. Bainer

Attorneys for the Representative Plaintiff
and the Plaintiff Class

DATED: August 7, 2008

STARBUCKS CORPORATION

By: Kimberly Kemper
Its Director, Corporate Counsel

Attorneys for the Representative Plaintiff
and the Plaintiff Class

DATED: August , 2008

PERKINS COIE LLP

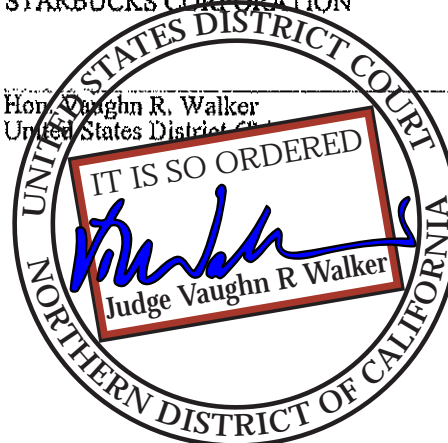
By: Jeffrey A. Hollingsworth
Jonni N. Koo
James A. Nickovich

Attorneys for Defendant
STARBUCKS CORPORATION

DATED: 8/14/2008

Hon. Vaughn R. Walker
United States District Court

18177-0157/LEGAL148496811



STIPULATION AND [PROPOSED] ORDER WAIVING ALL APPEALS; WAIVING RECOVERY OF
ATTORNEY'S FEES AND ALL OTHER COSTS; AND CESSATION OF ANY FURTHER LITIGATION
Case No. C06-03706VRW